

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

05-CR-6161L

V.

JOHN NICOLO,

Defendant.

On July 1, 2008, defendant John Nicolo, moved for reconsideration of the Court's order revoking his release after the jury had returned its guilty verdict. The Court denied that request without prejudice to defendant providing more specific information.

On July 29, 2008, Nicolo filed a Memorandum of Law in support of the motion. Appended to that memorandum were numerous pages of medical reports from various facilities and hospitals, as well as a one-page report from Nicolo's treating physician, John Andolina, M.D.

Because of privacy concerns, defendant requested that the memorandum with attachments be filed under seal and that filing was made.

Although the Court is concerned with privacy issues, I see no reason for defendant's memorandum of law (6 pages) and the report of Dr. Andolina to remain sealed. Therefore, copies of those papers are attached to this order which will be filed and docketed on the public record.

IT IS SO ORDERED.



DAVID G. LARIMER

United States District Judge

Dated: Rochester, New York
July 30, 2008.